

FIGHT FOR SMART MILLIONS COMPROMISED

GERMANS TRY DESPERATELY TO SHAKE OFF THE PRESSURE

Violent Attacks In Flanders and Great Movement In Russian Center Shows Dire Necessity of Teuton Relief, Says London

MIGHTY EFFORT NOT PROVING SUCCESSFUL

Cold Weather Aids Slav Operations In East Prussia While Von Hindenburg Throws Big Army Against Warsaw Approaches

(Associated Press by Federal Wireless.)
LONDON, February 3. — Advice from the front, both in the east and west, indicate that the Germans are making another mighty effort to break through the lines that have been steadily pressing them back.
In both Flanders and Poland the attempts have been unsuccessful, every German attack being thrown back with heavy losses.
Following the repulses of their infantry in Flanders, the Germans are now maintaining an incessant bombardment of the British and Belgian positions, leading the Allies to believe that still another supreme effort is to be made to force the passage of the Yser and from there launch an onslaught upon the French Channel ports.

VON HINDENBURG HAMMERS
In Poland, von Hindenburg is desperately endeavoring to crush the Russian center before Warsaw, to relieve the pressure upon the Austro-Germans in Hungary and the Germans in East Prussia, where the Slavs are pushing forward and threatening to cut the lines of communication of a large portion of the German force in Poland.
The vigorous offensive begun in the Carpathians by the Austrians, reinforced by two hundred thousand Germans when they advanced against the invaders of Galicia in four columns, has already broken down, according to the Petrograd official advice, and the Russians are now on the offensive, driving ahead into Hungary.

ICE AIDS RUSSIANS
The freezing over of the Masuren Lakes, despite the German efforts to keep the main bodies open through the employment of ice-breakers, has allowed the Russian forces invading from Suwalki to progress rapidly, outflanking the German positions prepared in the land channels between the swamps and forcing a general retirement. There are now three invasions of East Prussia, each of which has progressed to a point where the armies are in touch. Another strong Russian force is being driven west in Poland north of the Vistula, in the direction of Thorn, which is threatening the German center in Middle Poland.

GERMANS ARE ATTACKING
A Petrograd despatch yesterday says that the general staff admits that violent German assaults on the Polish front, supported by heavy artillery fire on Sunday compelled some Russian units to evacuate the first line of trenches. General counter attacks, made the same night, resulted in the Russians regaining most of the lost positions. The German successes were incommensurate with their heavy losses, says the staff, and adds:
"No important engagements are taking place in the Caucasus."
"The fighting in the Carpathians continues. After two unsuccessful attempts to assume the offensive, the On January 26 and 27 we captured 78 officers, 4065 soldier, four cannon and ten machine-guns."

FRENCH CLAIM PROGRESS
PARIS, February 2. — Yesterday's official announcement reported that: "Near Oulchy the Germans captured a British position. After a series of counter charges the British reoccupied the positions and gained new territory, storming a number of German trenches."
"An engagement yesterday between Bethune and La Bassée was particularly brilliant. After two unsuccessful charges, the Germans entered one of our trenches. With an immediate counter charge with bayonets we recaptured the trench and killed a full battalion of the enemy."
"Our methodical progress in the neighborhood of Perthes continues. There is nothing noteworthy elsewhere."

GERMANS BELIEVE FRENCH

BERLIN, February 2. — The official bulletin given out yesterday says: "Nothing important is occurring on the western front. Recent French reports are grotesque inventions."
The German staff declines to give details.

TEUTON CARRIES EUROPEAN WAR INTO CANADA

Destroys Railroad Bridge With Dynamite and Then Crosses Line Into State of Maine

American Authorities Must Determine Whether Deed Was Criminal or Attack on Enemy

(Associated Press by Federal Wireless.)
VANCOUVER, Maine, February 3. — Another international complication between the British and the American authorities resulting from the war in Europe has cropped up in the attempt yesterday by Werner Van Horn to destroy the bridge of the Maine Central Railroad where it crosses the St. Croix River, just over the international boundary line in New Brunswick. Following the dynamiting of the bridge, in which one span was wrecked, Van Horn escaped across the line into this State, surrendering to the American authorities.

VAN HORN GERMAN OFFICER
The New Brunswick provincial officials, as represented by the Dominion officials, are preparing a demand for the extradition of Van Horn, on a charge of destroying property. Van Horn claims to be a German officer, who has escaped from the enemy after inflicting damage according to the rules of war. He claims that he must be held as interned and cannot be handed back to the enemy as a criminal or surrendered as a prisoner of war. The New Brunswick authorities claim that the dynamiting of the bridge is a criminal act and not an act of war.

CAN BE EXTRADITED
It is understood here that under the existing agreement between the United States and Canada, Van Horn can be extradited, the offense of damaging property being included in the agreement. The prisoners have not secured the services of a lawyer, and as apparently indifferent to the action of the authorities.

Van Horn crossed the line from Maine to accomplish his blow against the Canadians. He carried dynamite, fuse and percussion caps in his pockets, together with a plan of the bridge and a small German flag.

MAY BE DEMENTED
There is no proof as yet that he holds a commission in the German army and in the opinion of some of the officials here the man is demented and irresponsible. His claim of being a German officer will be investigated.

The Maine Central Railroad is a Maine corporation, with its head offices at Portland. The line runs from Boston to St. John, New Brunswick. Only a few miles are within Canadian territory and the road has no military value to the Dominion.

STORM ON WEST COAST CONTINUES UNABATED

(Associated Press by Federal Wireless.)
SAN FRANCISCO, February 2. — The storm that has been raging up and down the coast for forty-eight hours was unabated this afternoon. There was a howling southwester, with six inches of rain in twelve hours in some places.
The Sacramento River had risen twelve feet by noon and there is panic among the residents of the Sacramento Valley in their fear of another flood. The harbor bar was reported to be breaking.
The Chiyo Maru, which left Honolulu last Tuesday, entered port yesterday, but was still unable to dock this afternoon. All trains are late, tracks are washed out, wires are down and much damage has been done all along the coast.

SPECIAL OFFICERS WILL GUARD BERLIN BAKERIES

(Associated Press by Federal Wireless.)
AMSTERDAM, February 2. — The Berliner Tagblatt says that 12,000 special constables have been appointed to guard Berlin bakeries, following the government's plan of official distribution of all main foodstuffs.

SECOND AUSTRALIAN CONTINGENT IN EGYPT

(Associated Press by Federal Wireless.)
LONDON, February 3. — It has been officially announced that the second Australian contingent has arrived safely in Egypt and has joined the army of defense.

BEST MEDICINE MADE.

A better medicine can not be made than Chamberlain's Cough Remedy. It relieves the lungs, opens the secretions, aids expectorations and assists nature in restoring the system to a healthy condition. Besides, it contains no opiates and is perfectly safe to take. For sale by all Dealers, Benson, Smith & Co., Ltd., agents for Hawaii.

FRENCH REDUCE FAMED CASTLE AT HOMBURG

Bombs of Aviators Who Raided Weisbaden Destroy Structure

Building Was Occupied By German Officers and Therefore Defended Military Position

(Associated Press by Federal Wireless.)
BERNE, Switzerland, February 3. — The famous Homburg Castle, built originally in the seventeenth century and restored a number of years ago at large expense, has been destroyed by the bombs of French aviators, who raided the Weisbaden city a few days ago.
The castle was occupied by some of the high officials of the German navy and was regarded as a defended military position.

BOMBS DESTROY BUILDING

The building was destroyed by the bombs, at a loss of several million francs.
Homburg is eleven miles north of Frankfurt-on-the-Main, the town being noted for its mineral springs. The Homburg Castle, one tower of which is said to date from the time of the Romans, is celebrated throughout Europe. The city lies one hundred and fifty miles from the nearest point in France.

PURE FOOD MEASURES LAID ASIDE IN HOUSE

(Associated Press by Federal Wireless.)
WASHINGTON, February 3. — The various bills now before the house for strengthening of the pure food regulations and for the amendment of the food storage law have definitely been laid aside and will not come up for further action at this session. The pressure upon the house's time of measures believed to be of more immediate importance has forced the abandonment of these bills.

VILLA'S TROOPS TAKE SAN LUIS POTOSI

(Associated Press by Federal Wireless.)
WASHINGTON, February 3. — A telegram from General Villa received last night at headquarters of the convention agency here says that General Urbina, with 5000 Villa troops, captured San Luis Potosi, capital of the Mexican state of that name, and that the situation there is quiet.

PUBLIC HOLIDAY FOR OPENING OF BIG FAIR

(Associated Press by Federal Wireless.)
SACRAMENTO, February 3. — February 20, the opening day of the Panama-Pacific Exposition, was yesterday declared a public holiday throughout the State, by Governor Johnson.

MAY WHEAT HIGHER THAN IT WAS IN 1909

(Associated Press by Federal Wireless.)
CHICAGO, February 2. — May delivery of wheat has advanced to \$1.60, five cents higher than during the famous corn engineered by James Patton in 1909. Bread has advanced a cent a loaf.

LOS ANGELES REVIVES OLD CURFEW ORDINANCE

(Associated Press by Federal Wireless.)
LOS ANGELES, February 3. — The old curfew ordinance has been revived here again. Under its provisions children must be off the streets and home by nine o'clock at night.

MUSSELMANS ABANDON DEAD IN THEIR FLIGHT

(Associated Press by Federal Wireless.)
TABRIZ, February 2. — The Turks have abandoned a thousand dead and their artillery, being defeated by the Russians.

ROME, February 3.—According to rumors, said to have their source in the Vatican, the governments of Great Britain, Germany and Austria have repudiated favorably the suggestion of

Donn's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes for \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.
Remember the name, Donn's, and take no substitute.

Baby Is Restored To His Inheritance

TERMS UNDER WHICH SMART WILL CONTEST WILL CEASE

TERMS of the compromise and settlement of the difficulties arising out of the contest over the will of the late Thelma Parker Smart and the custody of little Richard Smart:



RICHARD SMART Who Has Been Restored To His Immense Inheritance

Richard Smart gets two-thirds of the estate.

His father, Henry Gaillard Smart, gets one-third.

Should Richard Smart die before he attains his majority, his interest in the estate will be formed into a trust for the benefit of charity.

The trust deed continues in force. All bequests made in the will will be honored.

The father will be given the custody of the minor child.

Alfred W. Carter will continue as manager of the Parker Ranch and estate, under the terms of the trust deed.

BRITAIN TO SEIZE CARGOES OF GRAIN

Ambassador Page Notifies Washington That Flour Also Is Conditional Contraband

(Associated Press by Federal Wireless.)
WASHINGTON, February 3. — Last night the State Department received a cablegram from Ambassador Page, at London, reporting that the British fleet had been ordered to treat cargoes of grain and flour destined to Germany and Austrian as conditional contraband of war, subject to seizure and confiscation.

Earlier in the day Great Britain had officially notified the United States that foodstuffs consigned to Germany are now absolute contraband.
This decision by the British government is based upon the German seizure of all private stocks of food on the ground of military necessity, thus affording Britain the reason that the importation of foodstuffs to Germany will give "aid and comfort" to the enemy within the meaning of the Hague conventions.

The cargo of the steamer Wilhelm, which sailed before the German decree was given out, is to be seized by Great Britain but will be paid for. Hereafter the ships and cargoes of food destined for Germany or Austria will be seized outright, and no compensation will be paid to the shippers.

MANY INVOLVED IN MINE STRIKE RIOTS

(Associated Press by Federal Wireless.)
DENVER, February 23. — As a result of the investigation into the circumstances attending the recent mine strike riots, and the sitting of a special grand jury, ten persons thus far have been arrested on warrants charging murder, arson, assault with intent to kill, and rioting.

There are 150 warrants issued and other arrests will follow as fast as they can be served.

All details are withheld regarding the identity of the persons for whom these warrants were issued, and on what charges are to be arrested.

Dire Distress

It Is Near at Hand to Hundreds of Honolulu Readers.

Don't neglect an aching back. Backache is often the kidneys' cry for help.

Neglect hurrying to the kidneys' aid. Means that urinary troubles may follow.

Or danger of worse kidney trouble. Here's convincing testimony:
Mrs. Maria Sipe, 62927 Hogan St., Spokane, Wash., says: "My kidney trouble began with a lame, painful and weak back. I couldn't stoop without first standing so that there would be no strain on my back, then I had to put my hands across the small of my back as a support. I had a bearing down feeling in my hips and my bladder was inflamed. I had gravel and the kidney secretions were in bad shape. One day I saw Donn's Backache Kidney Pills advertised and began using them. They helped me right away and four boxes cured me. I haven't had a sign of kidney trouble since."

Donn's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes for \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name, Donn's, and take no substitute.

TRANSPORTS TO BE GERMANY'S PREY

Submarine Will Be Used to Sink Troopships and Neutral Shipping Warned

(Associated Press by Federal Wireless.)
LONDON, February 3. — Germany has issued a warning that a sink will be made by submarines to sink British transports plying between England and France.

The German announcement advises that the shipping of all neutral nations be kept away from the waters off the northwest coast of France.

An official announcement from Paris yesterday reported that in violation of The Hague convention, a German submarine had made an unsuccessful attempt to torpedo the British hospital ship Asturias at a point fifteen miles off the Harve lighthouse.

CHURCHILL TALKS AGAIN

PARIS, February 2. — The Paris Matin today prints an interview with Winston Churchill, first lord of the British admiralty, in which he declares:

"For the first time in history the sea is free. Even after Trafalgar we knew nothing similar to the situation today."

"Germany is like a man throttled with a heavy gas. We know the effect of such a gag when exertion is necessary. The efforts wear out the heart, and Germany knows it."

"This pressure will not be relaxed until Germany gives in unconditional. Even if France and Russia should withdraw, which is inconceivable, we would continue until the end."

FORT OF DARDANELLES DESTROYED BY ENEMY

(Associated Press by Federal Wireless.)
LONDON, February 3. — Copenhagen newspapers yesterday published reports from Constantinople to the effect that the Anglo-French fleet had succeeded in destroying one of the forts defending the Dardanelles Straits, by bombardment. This created a panic in the Turkish capital, where the news of the severe reverses sustained in the Caucasus is just becoming known.

ITALIAN RESERVISTS PREPARE FOR SERVICE

(Associated Press by Federal Wireless.)
LONDON, February 2. — Italian reservists in England have been warned to prepare to return home to join the colors.

Eureka (Cal.) Photographer Sues Wife For Divorce, Naming Richard Yates of Illinois

(Associated Press by Federal Wireless.)
SAN FRANCISCO, February 3. — A sensational divorce suit was filed yesterday by Edward R. Freeman, a photographer of Eureka, against his wife Emma Freeman, the petition naming Richard Yates, former Governor of Illinois, as co-respondent.

Freeman charges infidelity, claiming that the Governor Yates and his wife traveled together in July, 1913, from Eureka to San Francisco.

Illinois from 1901 to 1905 and is prominent in national Republican politics. He has served as United States senator, as county judge of Morgan County and for three years was collector of internal revenue at Springfield, Illinois.

He is also a prominent member of the "hooker club" having attended the general conference in 1900 as a lay delegate.

HENRY GAILLARD SMART AGREED TO COMPROMISE AND LITIGATION CEASES

By Terms of Settlement, Husband Gets One-Third of the Estate and Son Everything Else, All Being Subject To Existing Trust Provisions: Bequests To Be Paid In Full

(From Wednesday Advertiser.)
ALL present litigation over the immense estate left by the late Thelma Parker Smart, owner of the great Parker Ranch, on the Island of Hawaii, valued, according to various estimates, at between two and three million dollars, is to be settled out of court.

The legal representatives of Henry Gaillard Smart, the young widower, and Mrs. Elizabeth J. Knight, mother of the dead heiress, have come together and after several conferences have agreed in principle to the following settlement:

Richard Smart, the nineteen-month-old son of Henry Gaillard Smart and his dead wife, Thelma, will receive twenty-five per cent of the income of the estate during his minority and until he attains the legal age of twenty years.

After attaining his majority Richard Smart will receive two-thirds of the income and principal of the estate.

SMART GETS THIRD
The father will receive the remaining one-third.

In the event of Richard Smart's death before he attains his majority, his two-thirds' interest in the estate will be created into a trust, the income of which will be devoted strictly and entirely to charitable purposes.

The trust deed given by Thelma Parker Smart, before her marriage, will be continued in force with Alfred W. Carter, the first manager of the trust, in charge. All the conditions of the settlement are made subject to the terms of this trust deed.

The custody of the minor child will be given to the father. All bequests made by Thelma Parker Smart in her will, in the aggregate of \$167,500, will be honored.

ANOTHER CONFERENCE TODAY
In principle, these are the terms of the compromise between the warring factions over the big estate. At another conference to be held today between the lawyers on both sides the exact details of the settlement will be gone over and preliminary papers signed.

In a day or two, it is expected, the whole matter will be finally closed and steps taken to withdraw from the courts of the Territory the litigation which is now pending over the estate and the custody of the minor child.

LAWYERS WERE CAUTIOUS

Frank E. Thompson, among the foremost of Smart's counsel, when interviewed last night, refused to make a statement and, in fact, told the representative of The Advertiser that nothing could be said on the subject.

Former Governor Walter F. Frear, who was at dinner at the Nuuanu avenue residence of Attorney Robbins B. Anderson, a member of his law firm, would not deny the correctness of The Advertiser's information. He admitted, however, that communications had passed between counsel on the two sides and that a tentative effort at compromising the estate difficulties was in progress.

"I do not think that I am at liberty at this time to disclose the particulars in the matter," asserted Mr. Frear.

Attorney M. F. Prosser would neither deny nor affirm the story then in the possession of The Advertiser. He was told all the particulars known by this paper.

"If I were you," said Mr. Prosser, "I would call up Mr. Kinney, personally, I do not care to say anything in this connection."

W. A. Kinney could not be found at his rooms in the Alexander Young Hotel, but later The Advertiser confirmed positively the facts of the settlement as given above.

STORY OF THE LITIGATION
In brief, the story of the litigation over the estate and the custody of the minor is as follows:

In Circuit Judge John A. Mathewman's court in Kailua, Kona, Hawaii, some weeks ago Mrs. Elizabeth J. Knight, mother-in-law of Smart and grandmother of little Richard, filed a petition for the appointment of a guardian ad litem of the minor. Judge Mathewman appointed W. A. Kinney, as such guardian, but later, on the showing that Kinney was a party in interest, in that he was one of the attorneys for Mrs. Knight, Judge Mathewman revoked his former order and appointed Attorney David L. Withington in Kinney's stead. The actual care of little Richard Smart was confided to Mrs. Lemon.

MRS. KNIGHT OPENS BATTLE

The next step in the fight over the estate was the filing in the Honolulu circuit court of a petition by Mrs. Knight for the administration of the estate of her dead daughter and contest of the will, it being claimed that the will was null and void; that it had been made through undue influence, various and ugly charges being made against Smart in this connection.

Next came the filing of a petition by Henry Gaillard Smart for the probate of the will, the will being filed at the same time. This petition was scheduled to be heard March 15. The filing of the will and petition for its probate was, it has been claimed, forced through

(Continued on Page Eight)